

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CASE NO 3:22-cv-86

UNITED STATES OF AMERICA;
STATES OF NORTH CAROLINA,
CALIFORNIA, CONNECTICUT,
FLORIDA, ILLINOIS, IOWA,
NEW MEXICO; NEW YORK,
TENNESSEE, TEXAS, and the
COMMONWEALTH OF VIRGINIA;

ex rel. Kim Edhegard, M.D.,

Plaintiffs,

v.

SKINCURE ONCOLOGY, LLC and
SENSUS HEALTHCARE, INC.,

Defendants.

**RELATOR'S STIPULATION
OF DISMISSAL**

Relator Kim Edhegard filed this qui tam action on his own behalf as well as on behalf of the United States and the states of North Carolina, Florida, Illinois, Connecticut, New York, Tennessee, Texas, California, Iowa, New Mexico, and Virginia. Having been advised of the non-intervention of the United States as well as each of these states, he now files this voluntary dismissal pursuant to Fed. R. Civ P. 41(a)(1) because the Complaint has not

been served upon the Defendants and no answer or motion for summary judgment has been filed.

Under the FCA, a *qui tam* plaintiff may dismiss a FCA action with the written consent of the United States and the Court. 31 U.S.C. § 3730(b)(1). Counsel for the United States and Counsel for the Plaintiff-States have informed Relator's counsel that the United States and the Plaintiff-States consent to this voluntary dismissal, so long as such dismissal is without prejudice as to the United States and the Plaintiff-States, and the Governments will separately file their written consents.

Based on the foregoing, Relator voluntarily dismisses all claims brought on his own behalf WITH PREJUDICE, and all claims brought on behalf of the United States and the aforementioned Plaintiff-States WITHOUT PREJUDICE.

For relator through counsel, this the 30th day of October, 2023.

/s/ Mark A. Jones
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